

# **EXHIBIT E**

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**MAGDALENE WRIGHT,**

<b>Plaintiff,</b>  <b>vs.</b>  <b>ELI LILLY AND COMPANY, et al.,</b>  <b>Defendants.</b>	) ) ) ) <b>CIVIL ACTION NO 2:06-0193-KD-C</b> ) ) )
--	---

**ORDER**

This matter is before the Court on defendant Eli Lilly and Company’s (“Lilly”) motion to stay all proceedings in this action (Doc. 6), brief in support (Doc. 7) and supplemental authority filed in support (Docs. 10, 11, 12). Lilly moves to stay on the grounds that this case has been reported to the Judicial Panel on Multidistrict Litigation as a tag-along action in MDL-1596-In re Zyprexa Products Liability Litigation. (Doc.7). Lilly anticipates transfer of this case to the Eastern District of New York for discovery and consolidated pretrial proceedings before the Honorable Jack B. Weinstein.<sup>1</sup> Lilly’s motion to stay is unopposed.<sup>2</sup>

Because this action has been reported as a tag-along action, it is “subject to potential transfer to another court under 28 U.S.C. § 1407 pursuant to a motion pending before the Judicial Panel on Multidistrict Litigation or a conditional transfer order entered by that panel” and thus is excluded from the requirements of Rule 26 at this time. See Local Rule 26.1(d)(1)(D). Accordingly, Lilly’s motion to stay is **GRANTED** and the parties are not required to participate in a parties’ planning meeting or prepare a report until further notice.

---

<sup>1</sup> The undersigned is in receipt of a courtesy copy of the conditional transfer filed on April 25, 2006.

<sup>2</sup> On April 4, 2006 the undersigned entered an order directing that any response to Lilly’s motion to stay be filed on or before April 14, 2006. (Doc. 9) No responses were filed.

Case 2:06-cv-00193-KD-C Document 14 Filed 05/03/2006 Page 2 of 2

**DONE and ORDERED** this the 2<sup>nd</sup> day of May 2006.

/s/ Kristi K. DuBose  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**